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Dated: September 7 2006 Signature: Denise Kacinski
(Denise Kacinski)

Docket No.: 62053CIP(51588)

(PATENT)

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SEP 07 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark C. Poznansky et al.

Application No.: 10/002,854

Filed: November 1, 2001

For: CAR RECEPTOR AS A MEDIATOR OF
MIGRATORY CELL CHEMOTAXIS AND/OR
CHEMOKINESIS

Allowed: May 16, 2006 OFFICE OF PETITIONS

Confirmation No.: 3669

Art Unit: 1651

Examiner: L. B. Lankford

PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313(c)(3)

MS 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on August 15, 2006.

A Request for Continued Examination (RCE) of the above application is filed concurrently herewith.

Please charge our Deposit Account No 04-1105 in the amount of \$525.00 covering the fee set forth in 37 CFR 1.17(h) for the filing of the Petition and 37 CFR 1.17(e) for the filing of the RCE.

A separate Petition under 37 C.F.R. § 1.78(a)(3) and (a)(6) to Allow an Unintentionally Delayed Claim for Benefit of Prior Applications has been concurrently submitted in the instant application. A copy of the supplemental amendment accompanying the Petition under 37 C.F.R. § 1.78(a)(3) and (a)(6) is filed herewith.

09/11/2006 AKELLEY 0000003 041105 10002854

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215561

Application No.: 10/002,854

2

Docket No.: 62053CIP(51588)

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62053CIP(51588).

Dated: September 7, 2006

Respectfully submitted,

By Amy M. Leahy
Amy M. Leahy
Registration No.: 47,739
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(203) 975-7505
Attorneys/Agents For Applicant

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FAX TRANSMISSION		OFFICE OF PETITIONS
DATE: September 7, 2006		
PTO IDENTIFIER: Application Number 10/002,854-Conf. #3669 Patent Number		
Inventor: Mark C. Poznansky et al.		
MESSAGE TO: US Patent and Trademark Office		
FAX NUMBER: (571) 273-0025		
FROM: EDWARDS ANGELL PALMER & DODGE LLP Amy M. Leahy		
PHONE: (203) 975-7505		
Attorney Dkt. #: 62053CIP(51588)		
PAGES (Including Cover Sheet): <u>9</u>		
CONTENTS: Request for Continued Examination Transmittal (1 page) Petition to Withdraw Application From Issue Supplemental Amendment Petition Fee Transmittal Charge \$525.00 to deposit account 04-1105 Certificate of Transmission (1 page)		
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EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874, Boston, Massachusetts 02205 Telephone: (203) 975-7505 Facsimile: (617) 439-4170		

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/002,854

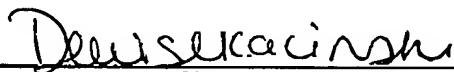
Attorney Docket No.: 62053CIP(51588)

Certificate of Transmission under 37 CFR 1.8

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on September 7, 2006

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Signature

Denise Kacinski

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Registration Number, if applicable(203) 975-7505

Telephone Number

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Request for Continued Examination Transmittal (1 page)

Petition to Withdraw Application from Issue

Supplemental Amendment

Petition Fee Transmittal

Charge \$525.00 to deposit account 04-1105

PTO/SB/17p (07-06)

Approved for use through 09/30/2008, OMB 0651-0031

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PETITION FEE**Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to:MS 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number

10/002,854-Conf. #3669

Filing Date

November 1, 2001

First Named Inventor

Mark C. Poznansky

Art Unit

1651

SEP 07 2006

Examiner Name

L. B. Lankford

Attorney Docket Number

62053CIP(51598)

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OFFICE OF PETITIONS

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 04-1105
 petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ _____ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.38(a) – for revocation of a power of attorney by fewer than all applicants.
 § 1.63(e) – to accord a filing date.
 § 1.57(a) – to accord a filing date.
 § 1.182 – for decision on a question not specifically provided for
 § 1.183 – to suspend the rules.
 § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
 § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 – for access to an assignment record.
 § 1.14 – for access to an application.
 § 1.47 – for filing by other than all the inventors or a person not the inventor.
 § 1.58 – for expungement of information.
 § 1.103(a) – to suspend action in an application.
 § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
 § 1.295 – for review of refusal to publish a statutory invention registration.
 § 1.286 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
 § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
 § 1.856 – for patent owner requests for extension of time in inter partes reexamination proceedings.
 § 6.12 – for expedited handling of a foreign filing license.
 § 6.15 – for changing the scope of a license.
 § 6.26 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.
 § 1.84 – for accepting color drawings or photographs.
 § 1.91 – for entry of a model or exhibit.
 § 1.102(d) – to make an application special.
 § 1.138(c) – to expressly abandon an application to avoid publication.
 § 1.313 – to withdraw an application from issue.
 § 1.314 – to defer issuance of a patent.

Amy M. Leahy
 Signature

Amy M. Leahy
 Typed or printed name

September 7, 2006

Date

47,739

Registration No., if applicable

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